

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
DOCKET NO. 3:20-CV-00591-FDW-DCK

THIS MATTER is before the Court on Plaintiff's Motion for Default Judgment, (Doc. No. 21). Upon consideration of Plaintiff's Motion; the accompanying Memorandum in support thereof, (Doc. No. 22); and the evidence, pleadings, and relevant authorities, the Court finds Plaintiff has established it is an aggrieved party under the Federal Communications Act, 47 U.S.C. §§ 553 and 605. The Court also finds it has jurisdiction over the subject matter and parties to this action; Defendants Samuel Gaddis and Leo's 49 Sports Bar, Inc. d/b/a Leo's 49 (hereinafter collectively, "**Defendants**") failed to answer or otherwise defend as provided by the Federal Rules of Civil Procedure following proper service; the allegations in Plaintiff's Amended Complaint, (Doc. No. 6), are deemed admitted against Defendants; Defendants exhibited the broadcasts of *Ultimate Fighting Championship® 234: Adesanya vs. Silva* Broadcast, including all undercard bouts and commentary, on February 10, 2019, and *Ultimate Fighting Championship® 235: Jones vs. Smith*, including all undercard bouts and commentary, on March 2, 2019, without authorization from Plaintiff; and Defendants' actions were willful and for purposes of direct or indirect commercial advantage or private financial gain. Therefore, additional damages are warranted in this action.

IT IS THEREFORE ORDERED that Plaintiff's Motion for Default Judgment, (Doc. No. 21), is GRANTED.

IT IS FURTHER ORDERED that:

1. Judgment by default be entered in favor of Plaintiff and against Defendants Samuel Gaddis and Leo's 49 Sports Bar, Inc. d/b/a Leo's 49.
2. Plaintiff recover statutory damages pursuant to 47 U.S.C. § 605(e)(3)(C)(i)(II) from Defendants in the amount of \$5,000.00.
3. Plaintiff recover additional damages pursuant to 47 U.S.C. § 605(e)(3)(C)(ii) from Defendants in the amount of \$15,000.00.
4. Plaintiff recovers attorneys' fees pursuant to 47 U.S.C. § 605(e)(3)(B)(iii) from Defendants in the amount of \$1,500.00 and costs in the amount of \$592.00 relating to the prosecution of this matter.
5. Plaintiff recover, in the event Defendants fail to voluntarily pay the judgment, reasonable attorneys' fees for post-trial and appellate services, subject to the Court's approval.
6. The Court also awards Plaintiff court costs and post-judgment interest on the amounts awarded herein at the statutory rate from the date of this Judgment until paid.
7. This judgment is a final judgment.

IT IS SO ORDERED.

Signed: June 15, 2022



Frank D. Whitney
United States District Judge

